HOUSE JOURNAL 66TH LEGISLATURE SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana House Chambers
April 11, 2019 State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Holmlund. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Bartel, excused. Quorum present.

BILLS (Ricci, Chair):

4/11/2019

Correctly printed: HJR 5, HJR 29, HJR 40, HJR 53, HJR 54, SB 8, SB 24, SB 30, SB 76, SB 100, SB 111, SB 167, SB 176, SB 256, SB 317, SB 341, SB 344.

Correctly engrossed: HJR 44, SB 32, SB 114, SB 266, SB 325, SB 343, SB 358, SB 365.

Correctly enrolled: HB 126, HB 173, HB 428.

Examined by the sponsor and found to be correct: **HB 332**, **HB 265**, **HB 456**, **HB 524**, **HB 543**, **HB 578**, **HB 583**, **HB 591**, **HB 612**, **HB 615**, **HJR 17**, **HJR 20**, **HJR 26**, **HJR 28**.

Transmitted to the Senate: **SB 100**.

Signed by the Chief Clerk of the House at 7:20 a.m., April 11, 2019: **HB 129**, **HB 233**, **HB 281**, **HB 394**, **HB 489**, **HB 527**, **HB 584**, **HB 633**, **HB 638**.

Signed by the President at 10:30 a.m., April 11, 2019: **HB 581**.

Signed by the President at 10:00 a.m., April 11, 2019: **HB 41**, **HB 150**, **HB 238**, **HB 257**, **HB 267**, **HB 285**, **HB 290**, **HB 319**, **HB 331**.

Signed by the President at 10:45 a.m., April 11, 2019: **HB 158**, **HB 305**.

Delivered to the Governor for approval at 4:40 p.m., April 11, 2019: **HB 41**, **HB 150**, **HB 158**, **HB 238**, **HB 257**, **HB 267**, **HB 285**, **HB 290**, **HB 305**, **HB 319**, **HB 331**, **HB 581**.

COMMUNICATIONS AND PETITIONS

Mr. Speaker:

We, your committee on Legislative Administration, having examined the daily journals for the thirty-eighth, thirty-ninth, fortieth, forty-first, and forty-second legislative days, find the same to be correct.

Representative Ricci, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Glimm, Chair):

4/10/2019

SB 43, be concurred in. Report adopted.

SB 147, be concurred in. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

4/11/2019

HJR 51, do pass. Report adopted.

JUDICIARY (Doane, Chair):

4/11/2019

SB 114. be amended as follows:

1. Title, page 1, line 7.

Following: "PROTECTION;"

Strike: "AND" Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3, line 5.

Following: "directly"

Strike: "," Insert: "or"

Following: "indirectly,"

Strike: "or through third parties,"

Following: "method," Insert: "communication,"

3. Page 3, line 6.

Following: "harasses,"

Insert: "or"

Following: "intimidates"

Strike: ", or communicates to or about"

4. Page 3, line 18. **Strike:** "(4)(C)" **Insert:** "(4)(b)"

5. Page 3, line 21.

Strike: "EXCEPT" through "FOR"

Insert: "For"

Following: "OFFENSE"

Insert: "within 20 years or for a first offense when the offender violated any order of protection, when the offender used force or a weapon or threatened to use force or a weapon, or when the victim is a minor and the offender is at least 5 years older than the victim"

6. Page 3, line 25 through line 28. **Strike:** subsection (C) in its entirety **Renumber:** subsequent subsections

7. Page 4, line 5. **Strike:** "or regulation"

8. Page 4, line 5 through line 6.

Strike: "or on a" on line 5 through "reservation"

9. Page 4, line 7.

Strike: ","

10. Page 4, line 8. Following: "or"

Insert: "or"

Following: "state"

Strike: ", or on a federally recognized Indian reservation"

11. Page 4.

Following: line 13

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and

approval."

And, as amended, be concurred in. Report adopted.

SB 335, be concurred in. Report adopted.

SB 354, be concurred in. Report adopted.

NATURAL RESOURCES (White, Chair):

4/10/2019

HJR 44, introduced joint resolution, be amended as follows:

1. Title, line 7.

Following: "LEGISLATURE"

Insert: "; AND PROVIDING FOR CONTINGENT VOIDNESS"

2. Page 2, line 8.

Following: line 7

Insert: "BE IT FURTHER RESOLVED, that if House Bill No. 441 is passed and approved and this

resolution is passed, then this resolution is void."

And, as amended, do pass. Report adopted.

SB 32, be amended as follows:

1. Title, page 1, line 5.

Following: "GROUP;"

Insert: "REVISING DUTIES OF THE DROUGHT AND WATER SUPPLY ADVISORY

COMMITTEE; PROVIDING FOR A FEE ON APPLICANTS FOR SURFACE WATER

APPROPRIATIONS;"

2. Title, page 1, line 6.

Strike: "SECTION 2-15-3308"

Insert: "SECTIONS 2-15-3308 AND 85-2-310"

3. Page 1, line 22. Strike: "Purpose" Insert: "Intent"

4. Page 2, line 6 through line 7. **Strike:** subsection (6) in its entirety

5. Page 2, line 9 through page 3, line 16.

Strike: section 3 in its entirety **Renumber:** subsequent sections

6. Page 3, line 19.

Following: "committee"

Insert: "-- stream gauge oversight work group"

7. Page 4, line 9.

Strike: subsection (h) in its entirety

Insert: "(h) select members of the committee to serve on a stream gauge oversight work group."

8. Page 4, line 24. Following: line 23

Insert: "(6)(a) The stream gauge oversight work group shall meet at least semiannually to review:

- (i) locations, uses, and funding arrangements for the stream gauge network of the U.S. geological survey; and
- (ii) priorities, needs, and expectations of those funding the maintenance and operations of these stream gauges and those using data measured by these stream gauges.
- (b) The work group shall create annually a stream gauge infrastructure work plan, which may include:
 - (i) a comprehensive overview of the existing stream gauge network;
- (ii) a review of options for funding the maintenance and operations of the stream gauge network, including use of private funds, consolidated agreements, or multipayer payments;
 - (iii) a proposal for stream gauge priorities;
- (iv) cost-effective and reasonable alternatives to stream gauges, including gauges that are not part of the U.S. geological survey's stream gauge network, if applicable;
- (v) oversight of recommendations and activities related to any legislative study of stream gauges; and
- (vi) coordination of information regarding stream gauge funding recommendations and requests from state and federal agencies.
- (c) The work group shall report to every meeting of the water policy interim committee established in 5-5-231."

Renumber: subsequent subsection

9. Page 4.

Following: line 28

Insert: "Section 4. Section 85-2-310, MCA, is amended to read:

- **"85-2-310.** Action on application for permit or change in appropriation right. (1) (a) If the department proposes to deny an application for a permit or a change in appropriation right under 85-2-307, unless the applicant withdraws the application, the department shall hold a hearing pursuant to 2-4-604 after serving notice of the hearing by first-class mail upon the applicant for the applicant to show cause by a preponderance of the evidence as to why the permit or change in appropriation right should not be denied.
- (b) (i) Upon request from the applicant, the department shall appoint a hearing examiner who did not participate in the preliminary determination.
- (ii) The applicant may make only one request pursuant to this subsection (1)(b) for a different hearing examiner.
- (2) A proposal to grant a permit or change in appropriation right with or without conditions following a hearing on a proposal to deny the application must proceed as if the department proposed to grant the permit or change in appropriation right in its preliminary determination pursuant to 85-2-307.
- (3) If valid objections are not received on an application or if valid objections are unconditionally withdrawn and the department preliminarily determined to grant the permit or change in appropriation right, the department shall grant the permit or change in appropriation right as proposed in the preliminary determination pursuant to 85-2-307.
- (4) If valid objections to an application are received and withdrawn with conditions stipulated with the applicant and the department preliminarily determined to grant the permit or change in appropriation right, the department shall grant the permit or change in appropriation right subject to conditions as necessary to satisfy applicable criteria.
- (5) The department shall deny or grant with or without conditions a permit under 85-2-311 or a change in appropriation right under 85-2-402 within 90 days after the administrative record is closed.
- (6) If an application is to appropriate water with a point of diversion, conveyance, or place of use on national forest system lands, any application approved by the department is subject to any written special use authorization required by federal law to occupy, use, or traverse national forest system lands for the purpose of diversion, impoundment, storage, transportation, withdrawal, use, or distribution of the water applied for and any terms, conditions, and limitations related to the use of water contained in any special use authorization required by federal law.
- (7) (a) Except as provided in subsection (6), if the department proposes to grant a permit or change in appropriation right in modified form, the applicant must be given an opportunity to be heard. The addition of conditions or changes to conditions required for approval does not constitute a modification of the application.
- (b) The department shall serve notice of a preliminary determination to grant a permit or change in appropriation right in a modified form by first-class mail upon the applicant, with a notice that the applicant may obtain a hearing pursuant to 2-4-604 to show cause by a preponderance of the evidence as to why the permit or change in appropriation right should not be preliminarily determined to be granted in the modified form by filing a request within 30 days after the notice is mailed. The notice must state that the permit or change in appropriation right will be preliminarily determined to be granted as modified unless a hearing is requested.
- (8) The department may cease action upon an application for a permit or change in appropriation right and return it to the applicant when it finds that the application is not in good faith or does not show a bona fide intent to appropriate water for a beneficial use. An application returned for either of these reasons must be accompanied by a statement of the reasons for which

it was returned, and for a permit application there is not a right to a priority date based upon the filing of the application. Returning an application pursuant to this subsection is a final decision of the department.

- (9) For all applications filed after July 1, 1973, the department shall find that an application is not in good faith or does not show a bona fide intent to appropriate water for a beneficial use if:
 - (a) an application is not corrected and completed as required by 85-2-302;
- (b) the appropriate filing fee is not paid, including a stream gauge fee of \$10 for each application for a surface water appropriation;
 - (c) the application does not document:
 - (i) a beneficial use of water;
 - (ii) the proposed place of use of all water applied for;
- (iii) for an appropriation of 4,000 acre-feet a year or more and 5.5 cubic feet per second or more, a detailed project plan describing when and how much water will be put to a beneficial use. The project plan must include a reasonable timeline for the completion of the project and the actual application of the water to a beneficial use.
- (iv) for appropriations not covered in subsection (9)(c)(iii), a general project plan stating when and how much water will be put to a beneficial use; and
- (v) except as provided in subsection (10), if the water applied for is to be appropriated above that which will be used solely by the applicant or if it will be marketed by the applicant to other users, information detailing:
 - (A) each person who will use the water and the amount of water each person will use;
 - (B) the proposed place of use of all water by each person;
- (C) the nature of the relationship between the applicant and each person using the water; and
- (D) each firm contractual agreement for the specified amount of water for each person using the water; or
- (d) the appropriate environmental impact statement costs or fees, if any, are not paid as required by 85-2-124.
- (10) If water applied for is to be marketed by the applicant to other users for the purpose of aquifer recharge or mitigation, the applicant is exempt from the provisions of subsection (9)(c)(v). The applicant must provide information detailing the proposed place of use."

Renumber: subsequent sections

10. Page 5, line 4. Strike: "through 3" Insert: "and 2"

11. Page 5, line 5. **Strike:** "through 3" **Insert:** "and 2"

And, as amended, be concurred in. Report adopted.

SB 329, be concurred in. Report adopted.

SB 343, be amended as follows:

1. Page 15, line 27.

Strike: "3" Insert: "4.5"

Page 16, line 3 through line 6.
 Strike: subsection (i) in its entirety
 Renumber: subsequent subsections

3. Page 16, line 8. Strike: "\$1,500" Strike: ";" Insert: ":

(A) \$750 if the date of the amendment application is 10 years or less from the date of the permit approval; or

(B) \$1,500 if the date of the amendment application is more than 10 years from the date of the permit approval; and"

4. Page 16, line 9 through line 11. **Strike:** subsection (b) in its entirety **Renumber:** subsequent subsection

5. Page 16, line 13. **Strike:** "\$500" **Insert:** "\$250"

6. Page 18, line 13. Following: line 12

Insert: "NEW SECTION. Section 15. Report to environmental quality council. (1) The department of environmental quality shall review laws, rules, and fees for the opencut mining program and solicit suggestions from stakeholders, including suggestions to streamline the permitting process.

(2) Before September 15, 2020, the department shall report the findings of the review and proposed changes to laws, rules, or fees to the environmental quality council established in 5-16-101."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TAXATION (Redfield, Chair):

4/11/2019

SB 239, be concurred in. Report adopted.

SB 266, be amended as follows:

1. Page 1, line 22.

Strike: "By" through "year, a"

Insert: "A"

2. Page 1, line 26.

Strike: the first "job"

Insert: "employee"

Strike: the second "job"

Insert: "employee"

3. Page 1, line 30.

Following: "necessary"

Insert: "for auditing purposes and"

4. Page 2, line 10.

Strike: the first "job"

Insert: "employee"

Strike: the second "job"

Insert: "employee"

5. Page 2, line 16 through line 17.

Strike: "up to" on line 16 through "of any" on line 17

Insert: "applying for a credit certificate or who has obtained a"

6. Page 2, line 26. **Strike:** "2029" **Insert:** "2025"

7. Page 3, line 2. **Strike:** "job"

Insert: "employee"

Strike: "full-time equivalent" **Insert:** "qualifying new"

8. Page 3, line 4. **Strike:** "2029," **Insert:** "2025"

Following: "employees"

Insert: "that were"

9. Page 3, line 5.

Strike: "as of December 31," **Insert:** "during calendar year"

10. Page 3, line 11.

Strike: "job"

Insert: "employee"

11. Page 3, line 26. **Strike:** the first "<u>JOB</u>" **Insert:** "employee"

Strike: the second "JOB" Insert: "employee"
Strike: "FIVE JOBS"

Insert: "10 qualifying new employees"

12. Page 3, line 27.

Strike: "10" Insert: "15" Strike: "JOBS"

Insert: "qualifying new employees"

13. Page 3, line 28.

Strike: "JOB"

Insert: "employee"

14. Page 4, line 3. Following: "HIRED"

Insert: "in"

15. Page 4, line 4. **Strike:** "2029" **Insert:** "2025"

16. Page 4, line 5.

Following: "EMPLOYED"

Insert: "for"

17. Page 4, line 6.

Strike: "AN AVERAGE"

Insert: "a"

18. Page 4, line 8.

Following: "PREDECESSOR"

Insert: "in the preceding 12 months"

19. Page 4, line 13.

Strike: "job"

Insert: "employee"

20. Page 4, line 25.

Strike: "10" Insert: "7"

21. Page 5, line 16.

Strike: "job"

Insert: "employee"

22. Page 11, line 23.

Strike: "2029" **Insert**: "2025"

And, as amended, be concurred in. Report adopted.

SB 321, be concurred in. Report adopted.

SB 328, be concurred in. Report adopted.

SB 337, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/9/2019

SB 38, introduced by M. MacDonald

SB 73, introduced by S. Hinebauch

SB 116, introduced by D. Salomon

SB 133, introduced by B. Gillespie

SB 268, introduced by K. Bogner

SB 276, introduced by R. Webb

SB 305, introduced by T. Gauthier

House bills concurred in and returned to the House:

4/9/2019

HB 6, introduced by J. Keane

HB 7, introduced by J. Keane

HB 9, introduced by T. Woods

HB 11, introduced by J. Keane

HB 39, introduced by D. Fern

HB 111, introduced by F. Fleming

HB 376, introduced by R. Fitzgerald

HB 393, introduced by J. Kassmier

HB 416, introduced by R. Fitzgerald

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/9/2019

HB 566, introduced by B. Bessette **HB 669**, introduced by F. Moore

House bills not concurred in and returned to the House:

4/9/2019

HB 302, introduced by G. DeVries, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, **failed** the Senate with the following vote:

4/9/2019

Yeas - 30 Nays - 20

HB 16 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 16**:

4/10/2019

Senator R. Webb, Chair Senator Blasdel Senator McClafferty

SB 93 - The Senate failed to concur in House amendments to **SB 93**, and by motion, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 93**:

4/10/2019

Senator Richmond, Chair Senator Cuffe Senator Vuckovich

HB 139 - The Senate failed to concur in House amendments to **HB 139**, and by motion, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 139**:

4/10/2019

Senator Lang, Chair Senator McConnell Senator Salomon

MESSAGES FROM THE GOVERNOR

April 10, 2019

The Honorable Greg Hertz Speaker of the House State Capitol Helena, Montana 59620

Dear Speaker Hertz:

On Wednesday, April 10, 2019, I signed the following bills:

House Bill 275—Garner House Bill 436—Hamlett

I have vetoed House Bill 74—Vinton.

I returned House Bill 112—Redfield to the Secretary of State's Office without signature.

Please let me know if you have any questions.

Sincerely,

STEVE BULLOCK Governor

April 10, 2019

The Honorable Greg Hertz Speaker of the House State Capitol Helena, Montana 59620

The Honorable Scott Sales President of the Senate State Capitol Helena, Montana 59620

Dear Speaker Hertz and President Sales:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 74 (HB 74), "AN ACT GENERALLY REVISING LAWS RELATED TO REMEDIES THAT MAY BE SOUGHT BY THE MONTANA STATE AUDITOR; CLARIFYING REMEDIES REGARDING PRIVATE RIGHTS OF ACTION; ALLOWING RESTITUTION FOR INSURANCE CONSUMERS; AMENDING SECTIONS 33-1-317, 33-1-1211,

33-1-1302, 33-17-502, 33-17-1001, 33-18-233, 33-19-405, 33-20-805, 33-20-806, 33-22-115, AND 33-38-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HB 74 is an attempt to clarify the Commissioner of Securities and Insurance (Commissioner) authority to seek and order restitution for victims of misconduct by insurance companies. Restitution deters bad conduct and is an important tool for helping consumers recover.

Unfortunately, the bill stops short of providing Montana insurance consumers the complete protections they need. It is important to remember that restitution may not be the only remedy available to consumers harmed by an insurance company. A consumer may pursue these other remedies on their own, without the assistance of a state agency. To protect consumers, the law must be clear that when the Commissioner orders restitution, the Commissioner does not-and may not- waive a consumer's other remedies under the law.

I proposed this simple but critical amendment to protect Montana consumers, and it was rejected by the legislature. Without this protection, HB 74 creates a risk of harm by potentially limiting the remedies a consumer may seek. The Commissioner should not have the authority to waive a consumer's right to other remedies when ordering restitution.

For these reasons, I veto HB 74.

Sincerely,

STEVE BULLOCK Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 55, introduced by T. Winter, K. Dudik, referred to Human Services.

HJR 56, introduced by B. Usher, referred to Judiciary.

HJR 57, introduced by K. Kelker, referred to Judiciary.

SPECIAL ORDERS OF THE DAY

Mr. Speaker moved the House to revert to Order of Business #11, Special Orders of the Day, for the purpose of receiving the University of Montana Western Women's Basketball Team.

Representative Welch and Representative Shaw escorted the Team into the Chamber and recognized the team for recently winning NAIA Division I National Championship.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Tschida moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vinton in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 662 - Senate Amendments - Representative Jones moved Senate amendments to **HB 662** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Mandeville, Skees, Tschida, White.

Total 4

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HB 688 - Senate Amendments - Representative Glimm moved Senate amendments to **HB 688** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson,

Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Mandeville, Redfield, Skees, Tschida, White.

Total 5

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HJR 31 - Representative Mercer moved HJR 31 do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Schreiner.

Total 1

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HJR 36 - Representative Krautter moved **HJR 36** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunwell,

Farris-Olsen, Fern, Fitzgerald, Funk, Garcia, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods, Zolnikov.

Nays: Bartel, Beard, Berglee, DeVries, Dunn, Duram, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Gunderson, Kassmier, Mandeville, Noland, Redfield, Regier, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Mr. Speaker.

Total 27

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HJR 43 - Representative Pierson moved HJR 43 do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Funk, Galt, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 74

Nays: Bartel, Beard, Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fleming, Fuller, Galloway, Glimm, Gunderson, Knudsen R, Mandeville, Moore E, Noland, Redfield, Regier, Ricci, Skees, Tschida, Usher, Webb, White, Mr. Speaker.

Total 26

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: None.

HJR 45 - Representative Loge moved **HJR 45** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krotkov, Loge, Lynch, Marler, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Welch, Windy Boy, Winter, Woods.

Nays: Bartel, Beard, Berglee, Brown B, Burnett, DeVries, Doane, Dunn, Fuller, Galloway, Galt, Glimm, Gunderson, Kassmier, Knudsen C, Krautter, Lenz, Mandeville, Manzella, Mercer, Moore E, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Skees, Tschida, Usher, Webb, White, Zolnikov, Mr. Speaker.

Total 35

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 12 - Conference Committee Report No. 1 - Representative Grubbs moved the Conference Committee report to **SB 12** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galt, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Mr. Speaker.

Nays: Beard, Brown B, Burnett, DeVries, Duram, Fuller, Galloway, Glimm, Gunderson, Knudsen R, Lenz, Manzella, Moore E, Moore T, Mortensen, Noland, Redfield, Regier, Skees, Tschida, Usher, White, Zolnikov.

Total 23

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 158 - **Conference Committee Report No. 1** - Representative Lynch moved the Conference Committee report to **SB 158** be adopted. Motion carried as follows:

Yeas: Abbott, Bachmeier, Bahr, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fitzgerald, Funk, Galt, Garner, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lynch, Marler, McKamey, Morigeau, Olsen, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods, Mr. Speaker. Total 59

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brown B, DeVries, Doane, Dunn, Duram, Fern, Fleming, Fuller, Galloway, Garcia, Glimm, Greef, Gunderson, Kassmier, Knudsen R, Lenz, Loge, Mandeville, Manzella, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Redfield, Regier, Skees, Smith, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov. Total 41

Voted absentee: Bartel. No.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 247 - Representative Curdy moved SB 247 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Welch, White, Windy Boy, Winter, Woods.

Nays: Bartel, Beard, Berglee, DeVries, Doane, Dunn, Duram, Fleming, Galloway, Galt, Glimm, Knudsen C, Knudsen R, Lenz, Mandeville, Moore T, Noland, Redfield, Regier, Skees, Tschida, Usher, Webb, Zolnikov, Mr. Speaker.

Total 25

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 253 - Representative Galt moved SB 253 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galloway, Galt, Garcia, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker. Total 90

Nays: Beard, Fuller, Garner, Harvey, Kassmier, Mandeville, Moore T, Noland, Redfield, Regier. Total 10

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 319 - Representative Weatherwax moved SB 319 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler,

McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None. Total 0

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 325 - Representative Krautter moved SB 325 be concurred in.

SB 325 - Representative Olsen moved SB 325, second reading copy, be amended as follows:

1. Page 3, line 27.

Strike: "MAY AUTHORIZE"

Insert: "shall allow"

Amendment adopted as follows:

Yeas: Abbott, Bachmeier, Bahr, Ballance, Beard, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Caferro, Curdy, Custer, DeVries, Doane, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fleming, Fuller, Funk, Galloway, Garcia, Greef, Hamilton, Hamlett, Harvey, Hayman, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Runningwolf, Ryan, Sales, Schreiner, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov.

Total 73

Nays: Bartel, Buttrey, Dooling, Fern, Fitzgerald, Galt, Garner, Glimm, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Knudsen C, Krautter, McKamey, Mercer, Moore T, Noland, Regier, Ricci, Shaw, Tschida, Vinton, Mr. Speaker.

Total 25

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: Anderson, Berglee.

Total 2

SB 325 - Representative Krautter moved **SB 325**, as amended, be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Perry, Pierson, Pope, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Zolnikov, Mr. Speaker.

Nays: Bartel, Beard, Berglee, Brown B, DeVries, Doane, Duram, Fleming, Galloway, Glimm, Knudsen C, Knudsen R, Lenz, Loge, Manzella, Mortensen, Peppers, Read, Redfield, Regier, Skees, Tschida, Usher, White, Woods.

Total 25

Voted absentee: Bartel, No.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 326 - Representative Shaw moved **SB 326** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Lenz, Loge, Lynch, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods, Mr. Speaker.

Nays: Beard, Berglee, Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fleming, Galloway, Galt, Glimm, Hopkins, Knudsen C, Knudsen R, Krotkov, Mandeville, Manzella, Noland, Olsen, Redfield, Regier, Ricci, Skees, Tschida, Usher, Vinton, Webb, White, Zolnikov. Total 30

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 330 - Representative Lynch moved SB 330 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Hamlett, Harvey, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Lynch, Mandeville, Manzella, McKamey, Moore E, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Burnett, Doane, Galloway, Gunderson, Hamilton, Hayman, Krotkov, Lenz, Marler, Mercer, Moore T.

Total 11

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 351 - Representative Ricci moved SB 351 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter,

Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: None. Total 0

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 353 - Representative Usher moved SB 353 be concurred in. Motion carried as follows:

Yeas: Abbott, Bachmeier, Bahr, Bartel, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Harvey, Hayman, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Loge, Lynch, Marler, McKamey, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Weatherwax, Welch, Windy Boy, Winter, Woods. Total 61

Nays: Anderson, Ballance, Beard, Berglee, Brown B, Burnett, DeVries, Doane, Dooling, Dunn, Fuller, Galloway, Galt, Glimm, Gunderson, Hamlett, Holmlund, Hopkins, Knudsen C, Knudsen R, Krautter, Lenz, Mandeville, Manzella, Mercer, Moore T, Noland, Read, Redfield, Regier, Ricci, Ryan, Skees, Tschida, Vinton, Webb, White, Zolnikov, Mr. Speaker. Total 39

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 358 - Representative Buttrey moved SB 358 be concurred in.

SB 358 - Representative Buttrey moved SB 358, second reading copy, be amended as follows:

1. Title, page 1, line 7.

Following: "LICENSES;"

Insert: "PROVIDING AN EXCEPTION TO LICENSE LIMITATIONS:"

2. Page 1, line 20.

Strike: "PRIOR TO" through "license,"

3. Page 2, line 29.

Following: "RESORT AREA" Insert: "with a perimeter"

4. Page 3, line 3.

Strike: "THAT SUBMITTED A RESORT"

Following: "DEPARTMENT"

Strike: "AND" Insert: "that"

5. Page 3, line 4.

Following: "ENTITLED TO" Insert: "the issuance of"

6. Page 3, line 5. Following: "FEE"

Strike: "IF THE RESORT" through "THIS SECTION"

7. Page 3, line 6.

Following: "ANY ADDITIONAL" Insert: "resort retail all-beverages"

8. Page 4, line 22.

Strike: "[sections 2 and"

Insert: "[section"

9. Page 6, line 10.

Strike: "a resort area as provided in [section 3(2)(b)]"

Insert: "resort retail all-beverages licenses issued under [section 3], which do not count toward this

limit"

10. Page 7, line 18.

Strike: "Licenses"

Insert: "However, resort retail all-beverages licenses"

11. Page 17, line 12.

Following: "THE LICENSE. The" Insert: "resort retail all-beverages"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Perry, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Burnett, DeVries, Galloway, Hamilton, Kelker, Keogh, Krotkov, Manzella, Morigeau, Olsen, Pierson, Redfield, Skees, Sweeney, White.

Total 15

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 358 - Representative Buttrey moved **SB** 358, as amended, be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Bessette, Bishop, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Hamlett, Harvey, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Lynch, Marler, McKamey, Moore E, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Read, Regier, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Vinton, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Berglee, Brown B, Brown Z, Burnett, DeVries, Doane, Dunn, Fuller, Galloway, Gunderson, Hamilton, Hayman, Kelker, Krotkov, Lenz, Mandeville, Manzella, Mercer, Moore T, Mortensen, Pope, Redfield, Ricci, Skees, Usher, Webb, White.

Total 27

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 365 - Representative Perry moved SB 365 be concurred in.

SB 365 - Representative Loge moved SB 365, second reading copy, be amended as follows:

1. Title, page 1, lines 5 and 6.

Strike: "REQUIRING" on line 5 through "PLAQUE" on line 6

Insert: "PROVIDING AN APPROPRIATION"

2. Page 1, line 20.

Strike: subsection (5) in its entirety

3. Page 1, following line 22.

Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated \$1 for the biennium beginning July 1, 2019, from the state general fund to the department of transportation for the purpose of [section 1]."

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker. Total 91

Nays: Burnett, DeVries, Doane, Galloway, Knudsen C, Knudsen R, Redfield, Tschida, White. Total 9

Voted absentee: Bartel, Ave.

Excused: Bartel.

Absent or not voting: None.

Total 0

SB 365 - Representative Perry moved **SB** 365, as amended, be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Burnett, Caferro, DeVries, Knudsen R, Redfield.

Total 5

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SJR 13 - Representative W. Sales moved SJR 13 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Custer, DeVries, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Total 91

Nays: Caferro, Curdy, Doane, Dunn, Galloway, Krotkov, Perry, Zolnikov.

Voted absentee: Bartel, Aye.

Excused: Bartel.

Total 1

Absent or not voting: Lenz.

Total 1

Majority Leader Tschida moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Vinton moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Zolnikov, Mr. Speaker.

Nays: Woods.

Total 1

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: Caferro.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 211 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Greef, Grubbs,

Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Burnett, DeVries, Duram, Galloway, Glimm, Manzella, Mercer, Moore T, Noland, Redfield, Skees, Tschida.

Total 12

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HB 221 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Nays: Brown B, DeVries, Dunn, Duram, Galloway, Glimm, Mandeville, Noland, Olsen, Regier, Zolnikov.

Total 11

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

HB 268 passed as follows:

Yeas: Anderson, Bahr, Ballance, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Holmlund, Hopkins, Jones, Kassmier, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Redfield, Regier, Ricci, Runningwolf, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Woods, Mr. Speaker.

Total 62

Nays: Abbott, Bachmeier, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Funk, Hamilton, Harvey, Hayman, Karjala, Keane, Kelker, Krotkov, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Zolnikov. Total 37

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HB 316 passed as follows:

Yeas: Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Bessette, Bishop, Brown B, Buttrey, Curdy, Custer, DeVries, Dooling, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Funk, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lenz, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, White, Windy Boy, Winter, Woods, Zolnikov.

Total 72

Nays: Abbott, Berglee, Brown Z, Burnett, Caferro, Doane, Dudik, Farris-Olsen, Galloway, Galt, Glimm, Harvey, Keane, Knudsen C, Knudsen R, Krautter, Loge, Lynch, Morigeau, Olsen, Schreiner, Skees, Tschida, Usher, Vinton, Webb, Mr. Speaker.

Total 27

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HB 579 passed as follows:

Yeas: Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Buttrey, Curdy, Custer, Dooling, Dunn, Dunwell, Fern, Fitzgerald, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pope, Read, Regier, Runningwolf, Ryan, Sales, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Zolnikov.

Nays: Abbott, Anderson, Bachmeier, Brown Z, Burnett, Caferro, DeVries, Doane, Dudik, Duram, Farris-Olsen, Fleming, Fuller, Funk, Galloway, Hamlett, Harvey, Hayman, Krotkov, Lynch, Marler, Mercer, Mortensen, Pierson, Redfield, Ricci, Schreiner, Skees, Tschida, Usher, Vinton, Webb, White, Winter, Woods, Mr. Speaker.

Total 36

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

HB 580 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Stewart Peregoy, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Nays: Dudik, Lynch, Peppers, Smith, Sullivan.

Total 5

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: Ballance.

Total 1

HB 590 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Farris-Olsen, Krautter, McKamey, Vinton.

Total 4

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

SB 100 concurred in as follows:

Yeas: Anderson, Ballance, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Winter, Woods.

Total 41

Voted absentee: None.

Excused: Bartel.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Tschida moved the Speaker accede to the request of the Senate and be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 93**. Without objection, Speaker Hertz appointed:

Representative Zolnikov Representative Skees Representative Pope

Majority Leader Tschida moved the Speaker accede to the request of the Senate and be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 139**. Without objection, Speaker Hertz appointed:

Representative Berglee Representative Fuller Representative Funk

Majority Leader Tschida moved to re-refer **SB 330** to the Appropriations Committee. Without objection, so ordered.

Majority Leader Tschida moved to re-refer **SB 358** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Representative McKamey rose on a **Point of Personal Privilege** and apologized to one of the members. Her question had been answered and she did not feel like it needed to go further.

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 1:00 p.m., Friday, April 12, 2019. Motion carried.

House adjourned at 3:00 p.m.

LINDSEY VROEGINDEWEY Chief Clerk of the House GREG HERTZ Speaker of the House